

**TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
GOVERNING BOARD MEETING**

**A G E N D A  
9:00 AM  
November 10, 2021**

**John H. Regan Building, JHR 140  
1400 Congress Ave  
Austin, Texas 78701**

**CALL TO ORDER**

**ROLL CALL**

**Leo Vasquez, Chair**

**CERTIFICATION OF QUORUM**

***Pledge of Allegiance - I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.***

***Texas Allegiance - Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.***

**CONSENT AGENDA**

Items on the Consent Agenda may be removed at the request of any Board member and considered at another appropriate time on this agenda. Placement on the Consent Agenda does not limit the possibility of any presentation, discussion or approval at this meeting. Under no circumstances does the Consent Agenda alter any requirements under Chapter 551 of the Tex. Gov't Code, Texas Open Meetings Act. Action may be taken on any item on this agenda, regardless of how designated.

**ITEM 1: APPROVAL OF THE FOLLOWING ITEMS PRESENTED IN THE BOARD MATERIALS:**

**EXECUTIVE**

- a) Presentation, discussion, and possible action on Board meeting minutes summary for October 14, 2021

**Beau Eccles**  
Board  
Secretary

**ASSET MANAGEMENT**

- b) Presentation, discussion, and possible action regarding a Material Amendment to the Housing Tax Credit Land Use Restriction Agreement

**Rosalio Banuelos**  
Director of Asset  
Management

93040	Garden Gate Apartments-Fort Worth	Fort Worth
93041	Garden Gate Apartments-Plano	Plano
93101	The Meadows	Garland
94067	Canterbury Crossing Apartments	Abilene

**BOND FINANCE**

- c) Presentation, discussion, and possible action on Inducement Resolution No. 22-008 for Multifamily Housing Revenue Bonds Regarding Authorization for Filing an Application for Private Activity Bond Authority for The Standard at Royal Lane (#21631) in Dallas

**Teresa Morales**  
Director of  
Multifamily Bonds

**RULES**

This will be an open, public meeting conducted under Tex. Gov't Code, chapter 551, without COVID-19 emergency waivers. There will not be a remote online or telephone option for public participation. The meeting, however, will be streamed online for public viewing. Masks will be available for members of the public who wish to attend this public meeting.

**Brooke Boston**  
Deputy Director of  
Programs

- d) Presentation, discussion, and possible action on an order adopting the repeal, and new rule, for 10 TAC Chapter 1, Subchapter C, Previous Participation and Executive Award Review and Advisory Committee, §1.301 Previous Participation Reviews for Multifamily Awards and Ownership Transfers, §1.302 Previous Participation Reviews for Department Program Awards Not Covered by §1.301 of this Subchapter, and §1.303 Executive Award and Review Advisory Committee (EARAC), and an order directing their adoption for submission to the Texas Register
- e) Presentation, discussion, and possible action on an order adopting the repeal, and new rule, for 10 TAC Chapter 1, Subchapter D, Uniform Guidance for Recipients of Federal and State Funds; §1.401 Definitions; §1.402 Cost Principles and Administrative Requirements; §1.403 Single Audit Requirements; §1.404 Purchase and Procurement Standards; §1.407 Inventory Report; and §1.411 Administration of Block Grants under Chapter 2105 of the Tex. Gov't Code and an order directing their adoption for submission to the Texas Register
- f) Presentation, discussion, and possible action on an order adopting amendments to 10 TAC, Chapter 10, Subchapter G, §10.801, Affirmative Marketing Requirements, and directing their submission for adoption to the Texas Register
- g) Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC Chapter 6, Community Affairs Programs; an order adopting new 10 TAC Chapter 6, Community Affairs Programs; and directing that they be published for adoption in the Texas Register
- h) Presentation, discussion, and possible action on an order adopting the repeal of 10 TAC Chapter 12, concerning the Multifamily Housing Revenue Bond Rules, and an order adopting new 10 TAC Chapter 12 concerning the Multifamily Housing Revenue Bond Rules, and directing its publication in the Texas Register

**Michael De Young**  
Director of  
Community Affairs

**Teresa Morales**  
Director of  
Multifamily Bonds

#### **HOUSING STABILIZATION SERVICES**

- i) Presentation, Discussion and Possible Approval of an Award of Emergency Rental Assistance Funds to the Texas Homeless Network for Housing Stabilization Services

**Brooke Boston**  
Deputy Director of  
Programs

#### **MULTIFAMILY FINANCE**

- j) Presentation, discussion, and possible action to revise prior Board action related to requests for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Applications Awarded Competitive (9%) Housing Tax Credits in Prior Application Rounds

**Cody Campbell**  
Director of Multifamily  
Programs

#### **COMMUNITY AFFAIRS**

- k) Presentation, Discussion, and Possible Action on the 2022 Section 8 Payment Standards for the Housing Choice Voucher Program (HCVP)

**Michael De Young**  
Director of  
Community Affairs

#### **LEGAL**

- l) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning Harmon Elliott Senior Citizens Complex (HTF 355007 / CMTS 2642)
- m) Presentation, discussion, and possible action regarding the adoption of Agreed Final Orders concerning related properties Second North Apartments (HTC 94001 / CMTS 1201) and Second Adams Apartments (HTC 94018 / CMTS 1217)
- n) Presentation, discussion, and possible action regarding the adoption of an Agreed Final Order concerning South Texas Development Council (CSBG Contract 61190003061)

**Jeff Pender**  
Deputy General  
Counsel

### **CONSENT AGENDA REPORT ITEMS**

#### **ITEM 2: THE BOARD ACCEPTS THE FOLLOWING REPORTS:**

- a) Media Analysis and Outreach Report (September 2021)

**Michael Lyttle**

- b) Report on Activities Related to the Department's Response to COVID-19 Pandemic
- c) Report on the Department's 4th Quarter Investment Report in accordance with the Public Funds Investment Act
- d) Report on the Department's 4th Quarter Investment Report relating to funds held under Bond Trust Indentures

Director of  
External Affairs  
**Brooke Boston**  
Deputy Director  
of Programs  
**Joe Guevara**  
Director of  
Financial Administration  
**Monica Galuski**  
Director of Bond  
Finance

#### ACTION ITEMS

Executive Session: the Chair may call an Executive Session at this point in the agenda in accordance with the below-cited provisions<sup>1</sup>

**Leo Vasquez**  
Chair

##### ITEM 3: EXECUTIVE

Executive Director's Report

**Bobby Wilkinson**  
Executive Director, TDHCA

##### ITEM 4: BOND FINANCE

- a) Presentation, discussion, and possible action regarding the Issuance of Multifamily Housing Revenue Bonds (Meadowbrook Apartments) Series 2021 Resolution No. 22-009 and a Determination Notice of Housing Tax Credits
- b) Presentation, discussion, and possible action regarding the Issuance of a Governmental Note (Fiji Lofts) Resolution No. 22-010 and a Determination Notice of Housing Tax Credits

**Teresa Morales**  
Director of  
Multifamily Bonds

##### ITEM 5: RULES

Presentation, discussion, and possible action on an order approving and recommending to the Governor the repeal of 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, and an order approving and recommending to the Governor in accordance with Tex. Gov't Code §2306.6724(b) the new 10 TAC Chapter 11 concerning the Housing Tax Credit Program Qualified Allocation Plan, and, upon action by the Governor, directing its publication in the Texas Register

**Brooke Boston**  
Deputy Director of  
Programs

##### ITEM 6: MULTIFAMILY FINANCE

- a) Presentation, discussion, and possible action on Awards of Multifamily Direct Loan Funds from the 2021-3 Multifamily Direct Loan Notice of Funding Availability
- b) Presentation, discussion and possible action on a request for return and reallocation of tax credits under 10 TAC §11.6(5) related to Credit Returns Resulting from Force Majeure Events for Application 18235 Memorial Apartments in McAllen
- c) Presentation, discussion, and possible action regarding the issuance of a Determination Notice for Torrey Chase Apartments (#21463) in the Houston ETJ

**Charlotte Flickinger**  
Multifamily Direct  
Loan Manager  
**Cody Campbell**  
Director of Multifamily  
Programs

**Teresa Morales**  
Director of  
Multifamily Bonds

#### PUBLIC COMMENT ON MATTERS OTHER THAN ITEMS FOR WHICH THERE WERE POSTED AGENDA ITEMS

The Board may go into Executive Session Pursuant to Tex. Gov't Code §551.074 for the purposes of discussing personnel matters including to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee;

Pursuant to Tex. Gov't Code §551.071(1) to seek the advice of its attorney about pending or contemplated litigation or a settlement offer;

<sup>1</sup> Note: the Chair is not restricted by this item, and may call for an Executive Session at any time during the posted meeting.

Pursuant to Tex. Gov't Code §551.071(2) for the purpose of seeking the advice of its attorney about a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Tex. Gov't Code Chapter 551; including seeking legal advice in connection with a posted agenda item;

Pursuant to Tex. Gov't Code §551.072 to deliberate the possible purchase, sale, exchange, or lease of real estate because it would have a material detrimental effect on the Department's ability to negotiate with a third person; and/or

Pursuant to Tex. Gov't Code §2306.039(c) the Department's internal auditor, fraud prevention coordinator or ethics advisor may meet in an executive session of the Board to discuss issues related to fraud, waste or abuse.

#### **OPEN SESSION**

If there is an Executive Session, the Board will reconvene in Open Session. Except as specifically authorized by applicable law, the Board may not take any actions in Executive Session.

#### **ADJOURN**

To access this agenda and details on each agenda item in the board book, please visit our website at [www.tdhca.state.tx.us](http://www.tdhca.state.tx.us) or contact Michael Lyttle, 512-475-4542, TDHCA, 221 East 11<sup>th</sup> Street, Austin, Texas 78701, and request the information. If you would like to follow actions taken by the Governing Board during this meeting, please follow TDHCA account (@tdhca) on Twitter.

Individuals who require auxiliary aids, services or sign language interpreters for this meeting should contact Nancy Dennis, at 512-475-3959 or Relay Texas at 1-800-735-2989, at least five days before the meeting so that appropriate arrangements can be made. Non-English speaking individuals who require interpreters for this meeting should contact Kathleen Vale Castillo, 512-475-4144, at least five days before the meeting so that appropriate arrangements can be made.

Personas que hablan español y requieren un intérprete, favor de llamar a Kathleen Vale Castillo, al siguiente número 512-475-4144 por lo menos cinco días antes de la junta para hacer los preparativos apropiados.